

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**June 21, 2010**

DIVISION TWO

[illegible]

The judgment is reversed.

Boren, P.J.

We concur: Doi Todd, J.  
Chavez, J.

B219677 People (Not for Publication)  
v.  
Adam L.

The order of wardship is affirmed.

Boren, P.J.

We concur:   Doi Todd, J.  
                   Ashmann-Gerst, J.

## June 21, 2010 (Continued)

## DIVISION TWO (continued)

B218406 People (Not for Publication)  
v.  
Pena

The judgment is affirmed.

Boren, P.J.

We concur:   Doi Todd, J.  
                   Ashmann-Gerst, J.

B221691 People (Not for Publication)  
v.  
Mendoza

### The Court:

The judgment is affirmed.

Boren, P.J., Doi Todd, J., Ashmann-Gerst, J.

B202011      People      (Not for Publication)  
v.  
Bradley

The judgment is modified to impose a court security fee of \$40 under section 1465.8 instead of the \$20 fee imposed and recorded on the abstract of judgment. In all other respects, the judgment is affirmed. The superior court is directed to send a corrected abstract reflecting this change to the Department of Corrections and Rehabilitation.

Ashmann-Gerst, J.

We concur:   Boren, P.J.  
                      Doi Todd, J.

## DIVISION TWO (continued)

[illegible]

The judgment in count 2 is reversed. The sentence in count 4 is stayed pursuant to section 654. In all other respects, the judgment is affirmed. The superior court is directed to prepare a new abstract of judgment reflecting these changes and correcting the firearm-use enhancement to show that it was found true under section 12022.53, subdivisions (d) and (e)(1), and forward it to the Department of Corrections and Rehabilitation.

Ashmann-Gerst, J.

We concur:   Boren, P.J.  
                      Chavez, J.

[illegible]

The order appealed from is affirmed. On remand, we direct the juvenile court to correct its minute orders of May 12, 2009 and May 20, 2009, to reflect that Petition A was sustained and Petition B was dismissed.

Chavez, J.

We concur: Boren, P.J.  
Ashmann-Gerst, J.

B214701      Phillips      (Not for Publication)  
v.  
Carvalho

The judgment is affirmed. Carvalho is awarded her costs on appeal

Chavez, J.

We concur:   Boren, P.J.  
                  Ashmann-Gerst, J.

DIVISION TWO (continued)

B211380 Pacific Systems (Not for Publication)

v.

Giant Skateboard Distribution

The order denying the motion for attorney fees is reversed. The matter is remanded to the trial court to determine the amount of fees to be awarded to plaintiff. Plaintiff is awarded its costs on appeal.

Chavez, J.

We concur: Boren, P.J.  
Ashmann-Gerst, J.

B213420 O'Donnell (Not for Publication)

v.

Allen, et al.

The judgment is reversed as to Allen and affirmed as to the Perona defendants. Plaintiff is awarded his costs in appealing the judgment entered in favor of Allen. The Perona defendants are awarded their costs on appeal.

Chavez, J.

We concur: Doi Todd, Acting P.J.  
Ashmann-Gerst, J.

B218817 Lance (Not for Publication)

v.

Lance

The order under review is affirmed

Boren, P.J.

We concur: Doi Todd, J.  
Ashmann-Gerst, J.

## June 21, 2010 (Continued)

## DIVISION TWO (continued)

B218987      DCFS      (Not for Publication)  
v.  
Verna W.

The judgment is affirmed.

Boren, P.J.

We concur: Ashmann-Gerst, J.  
Chavez, J.

B216063 Gulvartian (Not for Publication)  
v.  
Fakhoury, et al.

The judgment is affirmed. Respondent(s) to recover costs.

Chavez, J.

We concur:   Boren, P.J.  
                  Doi Todd, J.

B213687      Garibay  
v.  
Callery/Conway/Mars HV Inc.

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

DIVISION THREE

Court convened at 9:00 a.m.

Present: Klein, P.J., Kitching, J., Aldrich, J. and Zaida G. Clayton, Deputy Clerk.

DIVISION THREE (continued)

Each of the following:

B215288 Donald Gene Phillips v. Solomon Morris Davis, et al  
B213262 People v. Delfino C. Machado  
B212148 People v. Gabriel Morris  
B216485 People v. Francisco Ramon Guevara

Argument waived, cause submitted.

B217371 People  
v.  
Shahram Shayesteh

Merits:  
Argued by Donald M. Re for appellant and by no appearance for  
respondent. Cause submitted.

B215595 Xia Guo  
v.  
Xiao Hua Sun

Merits:  
Argued by Hanwei Cheng for appellant and by Steven Sugars for  
respondent. Cause submitted.

B213754 Jerry Jamgotchian  
v.  
City of Manhattan Beach

Merits:  
Argued by Ronald S. Caswell for appellants and by Robert Wadden for  
respondent. Cause submitted.

DIVISION THREE (continued)

B210531 People  
v.  
Laron Lamont Heidelberg and Paul McGee

Merits:  
Argued by Joseph Thomas Tavano and Pythis William Anthony for appellants and by Gary A. Lieberman, Deputy Attorney General for respondent. Cause submitted.

B219040 Los Angeles County, D.C.F.S.  
v.  
A.S.,

Merits:  
Argued by Christopher Blake for appellant and by Kim Nemoy, Deputy County Counsel for respondent. Cause submitted.

Court recessed.

Court reconvened at 1:30 p.m.

Present: Klein, P.J., Croskey, J., Kitching, J., Aldrich, J. and Zaida G. Clayton, Deputy Clerk.

Each of the following:

B213048 Terry Lane, et al. v. Regents of the University of California  
B211748 Jean Andre, et al. v. Regents of the University of California  
B214859 The People v Anthony Nguyen  
B215136 The People v. Jorge A. Cornejo  
B216583 The People v. Wilver Gomez  
B214335 The People v. Oscar Antonio Flores  
B220256 DCFS v. A.S.

Argument waived, cause submitted.

DIVISION THREE (continued)

B216514     Casey Peters, et al.  
                 v.  
                 Nora Hamill, et al.

Merits:  
Argued by Casey Peters,appellant in propria persona and by Victoria Velarde for respondents. Cause submitted.

B217655     John Cassese, et al.  
                 v.  
                 Fox Broadcasting Company, et al.

Merits:  
Argued by James W. Spertus for appellants and by Michael J. Niborski for respondents. Cause submitted.

B216184     BFK, Inc.  
                 v.  
                 China Lucky Film Corp

Merits:  
Argued by Bin Li for appellant and by Daniel L. Krishel for respondent. Cause submitted.

B212637     People  
                 v.  
                 Melissa Garcia

Merits:  
Argued by Marcia Levine for appellant and by Sarah J. Farhat, Deputy Attorney General for respondent. Cause submitted.



DIVISION THREE (continued)

B220034      Great Lakes Construction Inc., et al.  
                 v.  
                 Jim Burman, et al.

Merits:  
Argued by Bruce N. Graham for appellants and by Harvey Stern for respondents. Cause submitted.

B215315      People  
                 v.  
                 Brandon Meaux

Merits:  
Argued by James Koester for appellant and by Robert C. Schneider for respondent. Cause submitted.

B213448      Sanchez  
                 v.  
                 Caremore Medical Group

Merits:  
Argued by Kenneth R. Pedroza for appellant and by Norman Pine for respondent. Cause submitted.

Court adjourned.

DIVISION FIVE

B217259      People  
                 v.  
                 J.M.

Filed order denying petition for rehearing.

DIVISION SIX

B209854      Leroy Myrick, et al.                      (Certified for Publication)

v.

Mary Mastagni, as Trustee, etc., et al.

The judgment is affirmed. Respondent(s) to recover costs.

Gilbert, P.J.

We concur:    Yegan, J.

Perren, J.

B211906      People                                      (Not for Publication)

v.

Daniel R. Johnson

The order staying the section 12022, subdivision (a)(1) enhancement is reversed. To assure that the sentence is lawful and accurately reflects the intention of the sentencing court, the matter is remanded for resentencing on the enhancement. If the trial court chooses to strike the enhancement, it shall specify its reasons for doing so. The judgments are otherwise affirmed.

Perren, J.

We concur:    Gilbert, P.J.

Coffee, J.

B220196      Department of Social Services      (Not for Publication)

v.

Sonia C.

The orders denying Mother's section 388 petition, finding the child to be adoptable, and terminating parental rights are affirmed.

Perren, J.

We concur:    Yegan, Acting P.J.

Coffee, J.

## DIVISION SIX (continued)

B209766 People (Not for Publication)  
v.  
Dejuan Javier

The last sentence of the third paragraph on page 4 of the probation report stating that "After being shown a photo lineup that included the defendant's picture, bank employees identified him as suspect 2, the man carrying the duffel bag, and not the suspect who was armed" is deleted in its entirety. The judgment is affirmed.

Perren, J.

We concur:    Gilbert, P.J.  
                         Coffee, J.

B218358 People v. Trejo (Not for Publication)

The judgment is affirmed.

Yegan, J.

We concur: Gilbert, P.J.  
Perren, J.

B220020      Child Protective Services      (Not for Publication)  
v.  
Brandi C.

The judgment (order terminating parental rights) is affirmed.

Coffee, J.

We concur: Yegan, Acting P.J.  
Perren, J.

DIVISION SIX (continued)

B221262      San Luis Obispo Dept. of Social Services      (Not for Publication)  
v.  
Anthony A.

The judgment (orders denying modification and terminating parental rights)  
is affirmed.

Coffee, J.

We concur:   Gilbert, P.J.  
                  Yegan, J.

B219772      Santa Barbara County Child Welfare Services      (Not for Publication)  
v.  
Ashley P.

The judgment (order terminating parental rights) is affirmed.

Coffee, J.

We concur:   Gilbert, P.J.  
                  Perren, J.

B218312      Santa Barbara Co. Child Protective Services      (Not for Publication)  
v.  
C.S. & P.U.

The orders terminating parental rights to Angelina U. and Arthur P. are  
affirmed.

Yegan, J.

We concur:   Gilbert, P.J.  
                  Coffee, J.

DIVISION SIX (continued)

B221023      Coulombe  
                 v.  
                 City of Oxnard

Filed order denying petition for rehearing.

DIVISION EIGHT

B212672      Elliot M. Fox  
                 v.  
                 Jamdat Mobile, Inc., et al.

Filed order certifying opinion for partial publication and modification of the opinion. No change in judgment.